

REMARKS/ARGUMENTS

Claims 2-4, 6-8, 10 and 11 are pending in the present application, of which claim 10 is the sole independent claim. Claims 1, 5, 9 and 12 have been previously canceled without prejudice or disclaimer. No claims are amended or added by this Response.

Claim Rejections under 35 USC § 103

Claims 2-4, 6, 7, 10 and 11 stand rejected under 35 USC § 103(a) as unpatentable over U.S. Pat. No. 6,505,215 ("Kruglikov") in view of U.S. Pat. No. 7,584,201 ("Casey"), U.S. Pat. No. 6,824,064 ("Guthery '064") and U.S. Pat. No. 6,824,064 ("Mwaura"). Claim 8 stands rejected under 35 USC § 103(a) as unpatentable over Kruglikov in view of Casey, Guthery '064, Mwaura and U.S. Pat. No. 6,676,022 ("Guthery '022")

The present application is a U.S. National Phase Application under 35 USC § 371 of International Application PCT/IB2004/001984, filed on June 15, 2004. PCT/IB2004/001984 designated the United States and was filed in English. The priority date of the present application is therefore June 15, 2004.

Casey has a filing date of August 10, 2005. The June 15, 2004 priority date of the present application is prior to the August 10, 2005 filing date of Casey. Casey is therefore disqualified as prior art under 35 USC § 102(b) and 35 USC § 102(e). The present rejections under 35 USC § 103(a) based on Kruglikov, Casey, Guthery '064, Mwaura and/or Guthery '022 are improper and unsustainable by virtue of their reliance on Casey. Claims 2-4, 6-8, 10 and 11 are accordingly deemed to be patentable over the prior art of record.

Withdrawal of the rejection under 35 USC § 103(a) is therefore requested.

Conclusion

Based on all of the above, the present application remains in condition for allowance. Prompt and favorable action to this effect, and early passage of the application to issue, are once more solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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